



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Design, Construction and Land Use**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2301287  
**Applicant Name:** Harold Lincoln  
**Address of Proposal:** 101 20<sup>th</sup> Avenue East

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to divide one parcel into seven (6) lots (unit subdivision). Proposed lot sizes are: A) 1386.7 square feet; B) 599.1 square feet; C) 599.1 square feet; D) 599.1 square feet; E) 599.1 square feet; and F) 1015.2 square feet. Related project: Demolition of existing single family residence and construct six (6) townhouses with detached parking under MUP No. 2001140.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into six lots as a unit subdivision.  
(Chapter 23.24, Seattle Municipal Code)

**SEPA DETERMINATION:**      ☒ Exempt   ☐ DNS   ☐ MDNS   ☐ EIS  
  
   ☐ DNS with conditions  
  
   ☐ DNS involving non-exempt grading, or demolition,  
   or involving another agency with jurisdiction.

**BACKGROUND DATA**

Zoning:                      L-4

Date of site visit:        March 28, 2003

Uses on site: Approved townhouses, per Design Review

### Site & Area Description

The 4,799 square foot property is situated on the southeastern corner of a rectangular block which is defined by 19<sup>th</sup> Avenue East to the west, East Denny Way to the south, East John Street to the north and 20<sup>th</sup> Avenue East to the east; in the Capitol Hill area of Seattle. All streets are improved with concrete curbs and sidewalks. There was one single family structure on the parcel (demolished). There is alley access to the project site along the western edge of the property. The site is not located in any identified or designated environmentally critical area.

The subject property is zoned Multi-family Lowrise 4 (L-4). Properties to the west half of the alley are zoned Multi-family Lowrise 3 (L-3) and properties to the south are zoned Neighborhood Commercial/Residential with a forty foot height limit (NC2/R-40). Existing development to the north, south, east and west is a mix of single and multi-family residential structures.

### Proposal Description

The proposal is to subdivide one parcel into six unit subdivision lots with six surface parking spaces. The townhome structures are three stories high and extend across the length of the property. Four of the six surface parking spaces will be accessed directly from the alley; the remaining two spaces will be accessed directly from 20<sup>th</sup> Avenue East, via one ten foot curb cut.

Note that the demolition and construction were reviewed for consistency with the applicable provisions of the Seattle Municipal Code under a separate permit (MUP No. 2001140). The subject of this analysis and decision is only the proposed division of land.

### Public Comments

The comment period for this proposal ended on April 9, 2003. During the public comment period, DCLU received no comment letters.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot Subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned for multi-family residential use. The allowable density of the subject property is one unit per 600 sq.ft. of lot area. Given a lot area of approximately 4,799 square feet, eight (8) units are allowed and six (6) are proposed. Permit number 727633 granted the subject property the following departures:
  - Maximum lot coverage is 50%; departure to allow 52.5% lot coverage.
  - The minimum side yard setback for a reversed corner lot is ten (10) feet; departure to allow a reduced setback to 1'-5" above the ground floor and 4'-5" at the ground floor.
  - Maximum building depth requirement is 65%, departure to increase building depth to 75%.
  - Average open space requirement is 300 square feet per unit, for a total of 1800 square feet; departure to reduce the open space to 1018 square feet.
  - Access to a site, located in a lowrise zone, is required from the alley; departure to allow a second driveway to the project site, from 20<sup>th</sup> Avenue East.Front setback is an average of the neighboring adjacent lot and ten (10) feet. Minimum rear yard setback is twenty-five (25) feet or fifteen (15) percent of the lot depth, in no case less than fifteen feet. New trees must be planted consistent with the requirements of the City's tree requirements (SMC 23.45.015). With departures, the proposed parcel provides adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.
2. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. An easement for electrical service to the proposed lots is required, the applicant must include the required easement on the final short subdivision. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and Water Availability Certificate 2003-0279 was issued April 11, 2003.

Connection to the PS will require a sidesewer permit. Stormwater and plan review requirements are made at the time of building permit application(s).

4. One objective of the Multi-family Policies is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. An equally important objective is to ensure that new development is compatible with neighborhood character. The proposed short subdivision is consistent with the Multi-family Policies and will meet all minimum Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Therefore, the public use and interests are served by permitting the proposed subdivision of land while also maintaining the character of the neighborhood. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis.
5. This site is not an environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.
6. The subject property contains no trees. A condition for design review departures requires an existing Judas Tree, in the right-of-way near the driveway on 20<sup>th</sup> Avenue East, be preserved.
7. The applicant proposes a six-unit townhouse on the site. Pursuant to SMC 23.24.045(B), sites developed or proposed to be developed with townhouses may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. The conformance of the proposed development as a whole with the applicable Land Use Policies and Code Provisions is being reviewed under Master Use Permit Number 2001140. These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045(C), additional development of the proposed lots may be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any non-conformity of the parent lot.

### **SUMMARY - SHORT SUBDIVISION**

The lots to be created by this short subdivision, as conditioned, will meet all standards of the Lowrise 4 zone set forth in the Land Use Code, and are consistent with applicable Multi Family policy guidelines. This short subdivision can be provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply

and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions.

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

### **CONDITIONS - SHORT SUBDIVISION**

#### *Conditions of Approval Prior to Recording*

The owner(s) and/or responsible party(s) shall:

1. Resolve the building violation (case 231068) for a covered carport.
2. Submit the final recording forms for approval and any necessary fees.
3. Include easement language to provide for electrical facilities and service to the proposed lots as required by Seattle City Light per memorandum #250428-3-019B on the final Short Subdivision.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Lauren Hirt, Land Use Planner  
Department of Design, Construction and Land Use  
Land Use Services

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